

contesting any tickets that you believe were wrongly issued, getting points off your record by going to **traffic school**, and generally monitoring your driving record. In many states, you can use traffic school once per year to keep a violation off your record. Other states restrict the use of this alternative to once per 18 months or once per two years. Traffic school may not be available to wipe out a violation related to excessive speeding.

"Before" your license is suspended.

Strategies to Defend Against a Suspension

You have a right to a hearing at the Department of Motor Vehicles or the equivalent state agency before your license is suspended. You can retain an attorney to represent you at this hearing. If the loss of your license would cause you to lose your job because you need to drive to work or as part of your work, you can bring this hardship to the hearing officer's attention. If you drive many miles each year, you can mention this point because it may mean that you are

Hardships

A particular hardship, such as the need to drive to work or school, may be a successful strategy to defend against a suspension.

<https://www.justia.com/traffic-tickets/consequences-of-traffic-tickets/drivers-license-susp...> 10/26/2023

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upon a showing by its records or other sufficient evidence that the driver has committed an offense."

FEDERAL CONSTITUTION

OPPORTUNITY TO BE HEARD

4. Under Federal Constitutional Law, which overrides State Law, as the LAW OF THE LAND, the Supreme Court stated in the case of Earle v. McVeigh, 91 US 503, 23 L. Ed 398, and Prther v. Loyd 86 Idaho 45, 382 P2d 910 and HANSON V. DENCKLA 357 US 235 2 L Ed 2d 1283, 78 S Ct 1228, :

OPPORTUNITY TO BE HEARD

"A judgment may NOT be rendered in VIOLATION OF CONSTITUTIONAL PROTECTIONS. The validity of a judgment may be affected by a failure to give the constitutionally required DUE PROCESS notice and"OPPORTUNITY TO BE HEARD". The limitations INHERENT in the requirements of DUE PROCESS and EQUAL PROTECTION of the LAW extend to judicial as well as political branches of government, so that....."A JUDGMENT MAY NOT BE RENDERED IN VIOLATION OF THOSE CONSTITUTIONAL LIMITATIONS AND GUARANTEES."

NO OPPORTUNITY TO BE HEARD

"A judgment WITHOUT A HEARING giving the party the opportunity to be heard is not a judicial determination of his rights. Sabariego v. Maverick, 124 US 261, 31 L Ed 430, 8 S Ct 461, and is not entitled to respect in any tribunal.

"A void judgment does not create any binding obligation. Federal decisions addressing void state court judgments include Kalb v. Feuerstein (1940) 308 US 433, 60 S Ct 343, 84 L Ed 370; Ex parte Rowland (1882) 104 U.S. 604 26 LEd 861, "A judgment which is void upon its face, and which requires only an inspection of the judgment roll to demonstrate its wants of vitality is a DEAD LIMB upon the judicial tree, which should be lopped off. People v. Greene, "If a court grants relief , which under the circumstances it hasn't any authority to grant, its judgment is to that extent VOID. (1 Freedman on Judgment 120-c.) An illegal order is forever VOID."

WHEREFORE: The Plaintiff's Federal and State's Constitutional Rights to a HEARING before her license to drive was suspended, were violated, and under a 1983 claim where there was a violation of the Plaintiff's Due Process and Equal Protection Rights, a violation of her fourth Amendment Rights and a violation of her liberty rights, this Court is MANDATEDUNDER STATE AND FEDERAL LAW, to allow the Plaintiff her right to a jury trial of her peers as allowed

1. The Plaintiff has proven that the defendants have violated the LAW OF THE LAND, that of the FEDERAL CONSTITUTIONAL and she also has proven a violation of STATE LAW, a violation of Due Process and EQUAL PROTECTION. Wherefore, this claim before the court for the violations of State and Federal Law is MANDATED to go IMMEDIATELY before a jury of her peers for damages as allowed under 1983 .

2. That the evidence before the Court shows that the Plaintiff was given NO OPPORTUNITY TO BE HEARDbefore her license to drive was suspended, as demanded under the Federal Constitution and under State Law

CHAPTER 263:56

" AFTER A HEARING"

3. Under NH State Law Chapter 263...." License Suspension and Revocation"..... under Section 263:56 the law states under the Heading"AUTHORITY TO SUSPEND LICENSE":

" The director is hereby authorized to suspend any license"**"AFTER A HEARING"**.....

Helloooooooo the line was NOT a yellow solid line as proven by listening to the recording of the trial in this matter, which was held the same day as the Rae case. One can hear in the recording the Trooper in this case Tpr. Hensel ADMITTED ADMITTED ADMITTED that the line was NOT A YELLOW/SOLID LINE, but that the line was a DOUBLE YELLOW LINE, where the Plaintiff had every legal right to make a U-Turn.

DEFENSE OF FEBRUARY TRAFFIC STOP

N.H. Bill of Rights, Article 15 (RIGHT OF ACCUSED)

"No subject shall be deprived of his property , privileges, or deprived of his life, liberty, or estate but by the the....." JUDGMENT OF HIS PEERS".....OR THELAW OF THE LAND. Due process SHALL require clear and convincing evidence that a person is dangerous to others. And that a person suffers from mental disorder MUST BE ESTABLISHED".

Federal Cosntitution Due Process

The Supreme Court stated in the case of Earle v. McVeigh and in the case of Prther v. Loyd, and in the case of Hanson v. Denckla the following:

"A judgment may NOT be rendered in violation of Constitutional protections. The validity of a judgment may be affected by aFAILURE TO GIVE THE CONSTITUTIONAL REQUIREMENTS OF A DUE PROCESS NOTICE and an"OPPORTUNITY TO BE HEARD".

Sabariego v. Maverick

The Court stated a judgment without a hearing giving the party the opportunity TO BE HEARD isNOT A JUDICIAL DETERMINATION OF HIS RIGHTS. And is NOT ENTITLED TO RESPECT."

AN ILLEGAL ORDER OF THE COURT

The court ignored the Plaintiff's rights under the Fourteenth Amendment to be HEARD BEFORE her license to drive was suspended. See the case of kalb v. Feuestein where the court stated..... "A judgment which is void upon its face, and which requires only an

- 1. Where the rulings in this case by the Judge was a violation of the LAW OF THE LAND, when fraud was concerned, the Judge lost all jurisdiction in the case and her rulings and decisions are thus VOID OF NO LEGAL FORCE.**
- 2. A RECORDING of the trial held in the Ossipee District Court regarding this case is available for view for the court. A recording that will verify each and every statement and fact the Plaintiff addresses in this document. A recording of the trial which proves the facts as stated below by the Plaintiff. And is evidence of her claim of a violation of her liberty rights under the Fourth Amendment of the UNITED STATES FEDERAL CONSTITUTION against the defendants..**
- 3. Evidence that the Plaintiff was falsely accused in the 7/17/24 Report & Recommendation of the Magistrate Judge Johnstone:**

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